IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
FRIDAY, THE TWENTY FIFTH DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE D.S.R.VARMA
WRIT PETITION NO : 11555 of 1994

Between:
K.Narayana, S/o. Siddappa, aged 31 years,
Attender/Sweeper, A.P.S.W. Residential School,
Anantapur District.

..... PETITIONER

AND
1.The Special Officer, A.P.S.W. Residential School Society,
Maluguru, Hindupur Taluq, Anantapur District.
2.The Secretary, A.P. S.W. Residential Schools Society,
Masab Tank, Hyderabad.
3.The Principal, A.P.S.W. Residential School, Manuguru,
Hindupur Taluq, Anantapur District.
4.The District Collector, Anantapur District.
(Case against Respondents 1 to 3 was dismissed for default as pr Court orders, dated 21-09-1999).

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction in the nature of Writ of Mandamus directing the respondents to grant salary to the petitioner with effect from 14-06-1993 as ordered by this Hon'ble Court which is communicated vide Rc.No.A1/3181/93, dated 25-08-1993, and further order to pay the salary to the petitioner on par with regular employees continuously in terms of the orders made in W.A.M.P.No.1423 of 1993 in W.A.No.785 of 1993, dated 02-08-1993, and declare the action of the respondents in not extending the benefits to the petitioner as bad in law and violative of Articles 14 and 16 of the Constitution of India.

For the Petitioner: MR.P.SRINIVASULU, ADVOCATE.

For the Respondents: GP FOR SCHOOL EDUCATION

The Court Made the Following:

ORAL ORDER:

Heard both sides.

2. The main grievance of the petitioner is that he has not been absorbed in spite of his long service as per G.O.Ms.No.212, dated 22-04-1994.

3. From the record, it could be seen that this Court in W.P.M.P.No.14029 of 1994, dated 30-06-1994, granted interim directions to the respondents to pay salary to the petitioner in terms of the proceedings in Rc.No.A1/3181/93, dated 25-08-1993, and the orders of this Court, dated 02-08-1993, made in W.A.M.P.No.1423 of 1993 in W.A.No.785 of 1993.

4. It could be presumed that the said interim directions of this Court are being implemented.

5. Nevertheless, mere interim direction to the respondents to pay the salaries to the petitioner does not confer any right for absorption. However, it is needless to mention that if the petitioner has been in service in all these years and if he fulfils all the requisite formalities as on the

cut off date prescribed in G.O.Ms.No.212, dated 22-04-1994 and if he falls within the parameters of the said G.O., his services shall be continued upon a representation being made by the petitioner.

6. Accordingly, the writ petition is disposed of. However, there shall be no order as to costs.

25TH JUNE 2004 D.S.R.VARMA, J
KRK

To:
1.The Special Officer, A.P.S.W. Residential School Society,
Maluguru, Hindupur Taluq, Anantapur District.
2.The Secretary, A.P. S.W. Residential Schools Society,
Masab Tank, Hyderabad.
3.The Principal, A.P.S.W. Residential School, Manuguru,
Hindupur Taluq, Anantapur District.
4.The District Collector, Anantapur District.
5.Two CCs to Government Pleader for School Education, High Court Buildings, Hyderabad (OUT).
6.Two CD copies.
7.One spare.